

# The City of West University Place

*A Neighborhood City*

## **CITY COUNCIL**

Susan Sample, Mayor  
Bob Kelly, Mayor Pro Tem  
Burt Ballanfant, Councilmember  
Brennan Reilly, Councilmember  
Mardi Turner, Councilmember

## **STAFF**

M. Chris Peifer, City Manager  
Alan Petrov, City Attorney  
Thelma Gilliam, City Secretary

## **CITY COUNCIL MEETING MINUTES**

The City Council of the City of West University Place, Texas, met in regular session on **Monday, July 11, 2016**, in the Municipal Building, 3800 University, West University Place, Texas beginning at **6:30 p.m.**

Agenda Items were as follows:

**Call to Order.** Mayor Sample called the meeting to order at 6:30 p.m. in the Council Chambers. Council and Staff in attendance were: Councilmembers Ballanfant and Turner, City Manager Peifer, City Secretary Gilliam, City Attorney Petrov, Public Works Director Beach, Parks and Recreation Director O'Connor and Police Chief Walker. Mayor Pro Tem Kelly and Councilmember Reilly were absent.

Boy Scout Matthew Rice with Troop 55 led the Pledge.

City Secretary Gilliam confirmed that the notice of this meeting was duly posted in accordance with the Texas Government Code, Chapter 551.

### **1. Public Comments**

This was an opportunity for citizens to speak to Council relating to agenda and non-agenda items.

**Robert Grossman**, 4103 Ruskin, spoke regarding the AT&T issue and said he had provided pictures showing AT&T violating City codes. He said there is a dumpster that was prohibited in the November decision by the Administrative Zoning official and the ZBA upheld in January, but it is still there 8 months later. He said he thinks Council should have a hearing and find out why AT&T's attorney testified that AT&T has not received a citation on any action they had taken on those Ruskin properties. He said he was told by Planner Scarcella that AT&T would not receive any citations until this "mess" is cleared up.

**David Cole**, 4104 Cason, spoke regarding the AT&T issue and said because he lives adjacent to Academy he has been unfortunate enough to host boring and trenching contractors four times over the last 15 years. He urged Council and the City Attorney to tighten up the City's ordinances and create stronger specifications.

### **2. Municipal Matters Related to the Hughes Park Donation**

Matters related to an update from staff, a park development timeline, and the appointment of a Task Force. *Recommended Action: Hear update from the Parks and Recreation Director, discuss a park development timeline, appoint a Task Force, and take any other desired action.*

Parks and Recreation Director O'Connor presented this item and said the mayor signed the donation agreement on June 27, 2016 and City Attorney Petrov provided the executor of the

Hughes estate with a fully executed copy of the agreement on July 8, 2016. He said Mr. Petrov is currently working with the Hughes estate executor to prepare a deed that will actually transfer the property from the Hughes estate to the City.

In regards to resident notification, Mr. O'Connor said staff is committed to continuing its efforts to being very open and transparent throughout the planning and construction processes. He said staff will post regular updates on the City's website, distribute regular press releases, provide any interested resident with updates electronically, meet with the Council appointed Task Force, and conduct a Town Hall meeting ahead of the Task Force bringing its final park design recommendation to Council.

Mr. O'Connor said staff prepared and hand-delivered approximately 200 letters to residents within approximately two blocks from the proposed Hughes Park address, 6446 Sewanee, and installed two informational yard signs at the site. He said residents were also invited to be included on an e-directory to receive all updates moving forward and as of 5:30 this evening staff received approximately 65 requests – 16 of which were from residents not on Council or any of the citizen boards.

Mr. O'Connor said staff has engaged the services of White Oak Studios to facilitate the design and construction process. He said Jim Patterson, CEO of White Oak Studio, will be the primary contact and said Mr. Patterson is very familiar with the community, because White Oak Studio led the 2000 and 2015 Park Master Planning efforts, the design and construction of the East End of Colonial Park, and the design and construction of Friends Park in 2007.

Mr. O'Connor said the feedback from neighbors of the proposed park received to date has shown that the primary concerns the neighbors have involve the following:

- Increased vehicular traffic;
- Parking concerns; and
- Criminal activity

Mr. O'Connor said the traffic concerns should be non-issues as the park will be passive in nature and the City will not schedule any events or activities that will make it a destination park. He said staff also feels that the criminal activity concern will not be an issue because the police department regularly provides staff with police activity on all parks and recreational facilities and over the course of at least the last 13 years there have been no serious incidents of crime at any of the neighbor parks or recreational facilities.

Mr. O'Connor said the last item for Council consideration is the appointment of a Citizen Task Force. He said there are 20 members on the proposed list and recommends that Council appoint them all, because 70 percent of the proposed Task Force are medical doctors or attorneys so the probability of the Task Force having full attendance at any giving meeting is slim.

In response to Mayor Sample's question as to how many meetings the Task Force is expecting to have, Mr. O'Connor said there will be a total of 5 meetings at this point with one of those being a Town Hall meeting, where at least 2 design concepts will be presented publicly. He said the final meeting will be to review the outcome of the Town Hall meeting and finalize a conceptual design to bring forward to Council for approval.

Councilmember Turner asked if there is a possibility that the time line, which indicates that the project will extend into 2018, will get pulled back. Mr. O'Connor said it is a possibility, but the consultant felt that due to possible delays with construction this given timeline would be the most responsible at this point.

Councilmember Turner asked if staff envisions birthday parties or other events being scheduled at the proposed park. Mr. O'Connor said staff certainly won't encourage it, unless it's the immediate neighbors. He said staff will not prohibit such things unless Council gives them the direction or the Task Force recommends that sort of restriction. Mr. O'Connor confirmed with Councilmember Turner that it will be a non-rental facility, unlike other West U Parks.

Councilmember Ballanfant asked if the probate court approved this. City Attorney Petrov responded no because deed is not yet approved. Councilmember Ballanfant said staff should try and push that along in order to have it in the rearview mirror.

Mr. O'Connor said he forgot to point out that City Attorney Petrov suggested staff get written permission from the Hughes estate to proceed with tree work. He said there are three trees that the City's forester has identified as health and safety hazards and has recommended removal. The Hughes estate gave the City written permission required by legal and so staff will be moving forward with the tree work this week.

Mr. O'Connor said as of June 1, 2016, staff took over ground maintenance of the property, so the City's contractor is mowing the lawn at a residential grade and maintaining the current landscape. He said the tree work and lawn maintenance are the only two activities that the City has been allowed to conduct on site until the deed is in hand.

Councilmember Turner asked if the structures on the site would be left in place until somewhere down the timeline. Mr. O'Connor said yes and said from June 28 moving forward, the City has 90 days to facilitate the terms of Mr. Hughes' will. He said staff doesn't feel there is much value to the structures, but staff would like to recover some of the materials from the structures and repurpose those for any park amenities that may be recommended by the Task Force, i.e. park benches.

Mr. O'Connor said one of the stipulations of the agreement is for the City to have appropriate signage designating the park as the Jenny Elizabeth Hughes Park.

After a brief discussion regarding tree diversity, Mr. O'Connor requested that Council consider approving the list of 20 members to serve on the Jenny Elizabeth Hughes Park Citizen Task Force for 2016 and through the remainder of the project. He said staff has confirmed that they are all residents of West University Place and are either immediate neighbors of the proposed park or they serve in capacities on the Seniors Board, Friends Board and Parks Board.

Councilmember Turner noted that she is on the list to serve as the Council liaison.

Before voting on the Task Force, resident **Alida Drewes**, 6112 Fordham, said before speaking on the park issue, she wanted to suggest that a an exemption for seniors be placed on an upcoming Council agenda. Regarding the park, she said the 20 member Task Force list is not transparent. She said Council keeps saying it is all about transparency, but it's not and it needs to step up the transparency part of the game it's playing. Ms. Drewes said all of the park money is going to the west side. She said retired people should be on the Task Force, not doctors and lawyers and all the people who are working all the time, but those that would actually use a passive park.

Mayor Sample noted that the City did a comprehensive park survey in 2014 and it covered where people wanted a park and what people wanted in a park and that the results were that people wanted a park in the proposed park area in a passive nature, so this donation is a blessing as it dovetails perfectly with what the people in West U want.

At this time, Councilmember Turner moved to approve the proposed 20-member Task Force presented by staff. Councilmember Ballanfant seconded the motion. **MOTION PASSED.**

**Ayes:** Sample, Ballanfant, Turner  
**Noes:** None  
**Absent:** Kelly, Reilly

**3. Future Agenda Items**

Matters related to future agenda items. *Recommended Action: Discuss and take any desired action.*

There was no discussion.

**4. Consent Agenda**

All Consent Agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council member requests in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

**A. City Council Minutes**

Approve City Council Minutes of the June 27, 2016 Council meetings.

Councilmember Turner moved to approve the Consent Agenda as presented. Councilmember Ballanfant seconded the motion. **MOTION PASSED.**

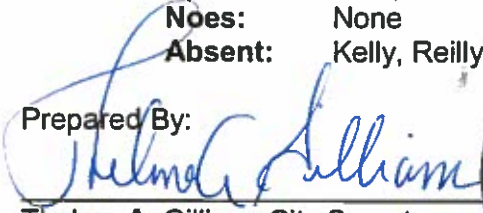
**Ayes:** Sample, Ballanfant, Turner  
**Noes:** None  
**Absent:** Kelly, Reilly

**5. Adjourn**

Councilmember Turner moved to adjourn 7:00 p.m. Councilmember Ballanfant seconded the motion. **MOTION PASSED.**

**Ayes:** Sample, Ballanfant, Turner  
**Noes:** None  
**Absent:** Kelly, Reilly

Prepared By:

  
Thelma A. Gilliam, City Secretary



  
Date Approved